

111TH CONGRESS  
1ST SESSION

# S. 1534

To complete construction of the 13-State Appalachian development highway system, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 29, 2009

Mr. REID (for Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. CASEY, Mr. WEBB, Mr. SHELBY, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To complete construction of the 13-State Appalachian development highway system, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

### 3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Appalachian Develop-  
5 ment Highway System Completion Act of 2009”.

### 6 **SEC. 2. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
8 are authorized to be appropriated out of the Highway  
9 Trust Fund (other than the Mass Transit Account) for

1 the Appalachian development highway system program  
2 under section 14501 of title 40, United States Code,  
3 \$1,080,000,000 for each of fiscal years 2010 through  
4 2015.

5 (b) APPORTIONMENT.—The Secretary shall appor-  
6 tion funds made available by subsection (a) for fiscal years  
7 2010 through 2015 among the States based on the latest  
8 available cost-to-complete estimate for the Appalachian  
9 development highway system under section 14501 of title  
10 40, United States Code, prepared by the Appalachian Re-  
11 gional Commission.

12 (c) APPLICABILITY OF TITLE 23.—Funds made  
13 available by subsection (a) shall be available for obligation  
14 in the same manner as if the funds were apportioned  
15 under chapter 1 of title 23, United States Code, except  
16 that—

17 (1) the Federal share of the cost of any project  
18 carried out using the funds shall be determined in  
19 accordance with section 14501 of title 40, United  
20 States Code; and

21 (2) the funds shall remain available until ex-  
22 pended.

23 (d) AVAILABILITY OF FUNDS.—Notwithstanding any  
24 other provision of law enacted before, on, or after the date  
25 of enactment of this Act, any obligation limitation enacted

1 for any of fiscal years 2010 through 2015 shall not apply  
2 to obligations authorized for the Appalachian development  
3 highway system program under section 14501 of title 40,  
4 United States Code.

5 (e) LOANS BETWEEN STATES.—

6 (1) IN GENERAL.—On notice to the Secretary  
7 of Transportation, a State that receives an appor-  
8 tionment under subsection (b) may lend any amount  
9 of contract authority or obligation authority avail-  
10 able to the State pursuant to the apportionment to  
11 any other State that is eligible for such an appor-  
12 tionment for use by the borrowing State for activi-  
13 ties eligible under section 14501 of title 40, United  
14 States Code.

15 (2) REPAYMENT.—Any loan under paragraph  
16 (1) shall be repaid not later than September 30,  
17 2015.

18 (f) PURPOSES.—Section 104(a) of title 23, United  
19 States Code, is amended by striking paragraph (2) and  
20 inserting the following:

21 “(2) PURPOSES.—

22 “(A) FEDERAL-AID HIGHWAY AND OTHER  
23 PROGRAMS.—The funds authorized by this sub-  
24 section shall be used to administer the provi-  
25 sions of law to be financed from appropriations

for the Federal-aid highway program and programs authorized under chapter 2.

“(B) APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.—In any case in which an apportionment is made of the amounts made available for expenditure for the Appalachian development highway system program under section 14501 of title 40, from amounts made available from the Highway Trust Fund for the Appalachian development highway system, the Secretary shall transfer to the Appalachian Regional Commission such sums as the Appalachian Regional Commission determines to be appropriate, not to exceed \$3,000,000 for each fiscal year, for administrative and planning activities associated with the Appalachian development highway system.”.

(g) EQUITY BONUS PROGRAM.—Section 105 of title 23, United States Code, is amended—

(1) in subsection (a)(2)—

(A) by striking subparagraph (J); and

(B) by redesignating subparagraphs (K) through (N) as subparagraphs (J) through (M), respectively; and

(2) in subsection (b)(2)—

- 1 (A) in subparagraph (I), by adding “and”
- 2 at the end;
- 3 (B) by striking subparagraph (J); and
- 4 (C) by redesignating subparagraph (K) as
- 5 subparagraph (J).

